

Panaji, 3rd June, 2004 (Jyaistha 13, 1926)

SERIES I NO. 10



OFFICIAL GAZETTE

GOVERNMENT OF GOA

Note: There is one Extraordinary issue to the Official Gazette Series I No. 9 dated 27-5-2004 namely, Extraordinary dated 31-5-2004 from pages 251 to 252 regarding Notifications from Department of Labour and Department of Health.

GOVERNMENT OF GOA

Department of Law and Judiciary

Legal Affairs Division

Notification

10/4/99-LA(Vol. IV)

The Petroleum (Berar Extension) Repeal Act, 2002, (Central Act No. 50 of 2002), which has been passed by the Parliament and assented to by the President of India on 27-11-2002 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 28-11-2002, is hereby published for general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 15th April, 2004.

THE PETROLEUM (BERAR EXTENSION) REPEAL ACT, 2002

AN

ACT

to repeal the Petroleum (Berar Extension) Act, 1937.

BE it enacted by Parliament in the Fifty-third Year of the Republic of India as follows:

1. *Short title.*— This Act may be called the Petroleum (Berar Extension) Repeal Act, 2002.

2. *Repeal of Act 23 of 1937.*— The Petroleum (Berar Extension) Act, 1937, is hereby repealed.

Notification

10/3/2003-LA

The Appropriation (No. 3) Act, 2003, (Central Act No. 33 of 2003), which has been passed by the Parliament and assented to by the President of India on 14-5-2003 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 14-5-2003, is hereby published for general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 19th February, 2004.

THE APPROPRIATION (NO. 3) ACT, 2003

AN

ACT

to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of India for the services of the financial year 2003-04.

BE it enacted by Parliament in the Fifty-fourth Year of the Republic of India as follows:

1. *Short title.*— This Act may be called the Appropriation (No. 3) Act, 2003.

2. *Issue of Rs. 845114,39,00,000 out of the Consolidated Fund of India for the year 2003-04.*— From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate [inclusive of the sums specified in column 3 of the Schedule to the Appropriation (Vote on Account) Act,

2003] to the sum of eight lakhs forty-five thousand one hundred fourteen crores and thirty-nine lakh rupees towards defraying the several charges which will come in course of payment during the financial year 2003-04 in respect of the services specified in column 2 of the Schedule.

3. Appropriation.— The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated

26 of 2003. for the services and purposes expressed in the Schedule in relation to the said year.

4. Construction of references to Ministries and Departments in the Schedule.— References to Ministries or Departments in the Schedule are to such Ministries or Departments as existing immediately before the 10th February, 2003 and shall, on or after that date, be construed as references to the appropriate Ministries or Departments as reconstituted from time to time.

THE SCHEDULE

(See sections 2, 3 and 4)

1 No. of Vote	2 Services and purposes	3 Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
1.	Department of Agriculture and Cooperation.....	Revenue	2329,49,00,000	2329,49,00,000
		Capital	126,65,00,000	132,20,00,000
2.	Department of Agricultural Research and Education	Revenue	1510,92,00,000	1510,92,00,000
3.	Department of Animal Husbandry and Dairying.....	Revenue	517,60,00,000	517,60,00,000
		Capital	24,35,00,000	24,35,00,000
4.	Ministry of Agro and Rural Industries	Revenue	667,02,00,000	667,02,00,000
		Capital	61,00,000	61,00,000
5.	Atomic Energy	Revenue	1624,57,00,000	1624,77,00,000
		Capital	1140,91,00,000	1141,00,00,000
6.	Nuclear Power Schemes	Revenue	1466,58,00,000	1466,58,00,000
		Capital	2000,00,00,000	2000,00,00,000
7.	Department of Chemicals and Petro-chemicals	Revenue	58,35,00,000	58,35,00,000
		Capital	250,85,00,000	250,85,00,000
8.	Department of Fertilisers	Revenue	13455,97,00,000	13455,98,00,000
		Capital	388,22,00,000	388,22,00,000
9.	Ministry of Civil Aviation	Revenue	242,27,00,000	242,27,00,000
		Capital	47,11,00,000	47,11,00,000
10.	Ministry of Coal	Revenue	437,90,00,000	437,90,00,000
		Capital	25,00,00,000	25,00,00,000
11.	Ministry of Mines	Revenue	613,17,00,000	613,25,00,000
		Capital	20,49,00,000	20,49,00,000
12.	Department of Commerce	Revenue	1669,35,00,000	1669,55,00,000
		Capital	153,00,00,000	153,00,00,000
13.	Department of Industrial Policy and Promotion	Revenue	383,31,00,000	383,60,00,000
14.	Department of Posts	Revenue	5595,33,00,000	5595,35,00,000
		Capital	129,17,00,000	129,17,00,000
15.	Department of Telecommunications	Revenue	1367,65,00,000	1367,65,00,000
		Capital	1,00,00,000	1,00,00,000
16.	Department of Information Technology	Revenue	463,76,00,000	463,76,00,000
		Capital	38,90,00,000	38,90,00,000
17.	Department of Consumer Affairs	Revenue	37,08,00,000	37,08,00,000
		Capital	2,35,00,000	2,35,00,000
18.	Department of Food and Public Distribution	Revenue	28377,07,00,000	28377,09,00,000
		Capital	362,33,00,000	362,33,00,000
19.	Ministry of Defence	Revenue	4674,02,00,000	4674,28,00,000
		Capital	385,82,00,000	385,82,00,000
20.	Defence Pensions	Revenue	10999,74,00,000	11000,00,00,000
21.	Defence Services—Army.....	Revenue	29640,65,00,000	29650,62,00,000

1	2	3
		Rs.
		Rs.
22. Defence Services—Navy	Revenue	5054,02,00,000
23. Defence Services— Air Force	Revenue	8519,10,00,000
24. Defence Ordnance Factories	Revenue	693,50,00,000
25. Defence Services— Research and Development	Revenue	2743,92,00,000
26. Capital Outlay on Defence Services	Capital	20942,46,00,000
27. Department of Development of North Eastern Region	Revenue	919,98,00,000
	Capital	70,20,00,000
28. Ministry of Disinvestment	Revenue	28,37,00,000
29. Ministry of Environment and Forests	Revenue	1099,14,00,000
	Capital	25,45,00,000
30. Ministry of External Affairs	Revenue	3038,96,00,000
	Capital	371,01,00,000
31. Department of Economic Affairs	Revenue	4381,12,00,000
	Capital	257,02,00,000
32. Currency, Coinage and Stamps	Revenue	872,34,00,000
	Capital	544,21,00,000
33. Payments to Financial Institutions	Revenue	7559,75,00,000
	Capital	3191,86,00,000
CHARGED.— <i>Interest Payments</i>	Revenue	127755,08,00,000
35. Transfers to State and Union Territory Governments	Revenue	26184,64,00,000
	Capital	25196,92,00,000
36. Loans to Government Servants, etc	Capital	675,00,00,000
CHARGED.— <i>Repayment of Debt</i>	Capital	..
38. Department of Expenditure	Revenue	24,01,00,000
39. Pensions	Revenue	4487,26,00,000
40. Indian Audit and Accounts Department	Revenue	964,28,00,000
	Capital	15,50,00,000
41. Department of Revenue	Revenue	398,13,00,000
	Capital	13,59,00,000
42. Direct Taxes	Revenue	1210,82,00,000
	Capital	115,50,00,000
43. Indirect Taxes	Revenue	1135,50,00,000
	Capital	265,10,00,000
44. Department of Company Affairs	Revenue	51,72,00,000
	Capital	3,00,00,000
45. Ministry of Food Processing Industries	Revenue	80,84,00,000
46. Department of Health	Revenue	2556,93,00,000
	Capital	317,05,00,000
47. Department of Indian Systems of Medicine and Homoeopathy	Revenue	194,47,00,000
	Capital	2,00,00,000
48. Department of Family Welfare	Revenue	5986,12,00,000
49. Department of Heavy Industry	Revenue	132,90,00,000
	Capital	467,75,00,000
50. Department of Public Enterprises	Revenue	12,61,00,000
51. Ministry of Home Affairs	Revenue	697,30,00,000
	Capital	20,50,00,000
52. Cabinet	Revenue	256,18,00,000
	Capital	2,10,00,000
53. Police	Revenue	9048,36,00,000
	Capital	1093,98,00,000
54. Other Expenditure of the Ministry of Home Affairs	Revenue	754,11,00,000
55. Transfers to Union Territory Governments	Revenue	613,40,00,000
	Capital	429,60,00,000
56. Department of Elementary Education and Literacy	Revenue	4904,63,00,000
57. Department of Secondary Education and Higher Education	Revenue	4956,54,00,000
	Capital	1,00,000
58. Department of Women and Child Development	Revenue	2653,91,00,000
59. Ministry of Information and Broadcasting	Revenue	1289,56,00,000
	Capital	231,59,00,000

1	2	3
		Rs.
60.	Ministry of Labour	Revenue 970,85,00,000
		Capital 16,00,000
61.	Election Commission	Revenue 11,00,00,000
62.	Law and Justice	Revenue 590,17,00,000
		Capital 55,00,000
	CHARGED.— Supreme Court of India	Revenue ... 33,05,00,000
64.	Ministry of Non-Conventional Energy Sources	Revenue 505,11,00,000
		Capital 125,04,00,000
65.	Department of Ocean Development	Revenue 199,33,00,000
66.	Ministry of Parliamentary Affairs	Revenue 4,04,00,000
67.	Ministry of Personnel, Public Grievances and Pensions	Revenue 116,01,00,000
		Capital ... 9,00,00,000
68.	Ministry of Petroleum and Natural Gas	Revenue 8128,28,00,000
69.	Ministry of Planning	Revenue 78,77,00,000
70.	Ministry of Power	Revenue 1868,76,00,000
		Capital 2823,08,00,000
	CHARGED.— Staff, Household and Allowances of the President	Revenue ... 13,95,00,000
72.	Lok Sabha	Revenue 181,05,00,000
73.	Rajya Sabha	Revenue 84,34,00,000
	CHARGED.— Union Public Service Commission	Revenue ... 48,99,00,000
75.	Secretariat of the Vice-President	Revenue 1,08,00,000
76.	Ministry of Road Transport and Highways	Revenue 5611,19,00,000
		Capital 6478,46,00,000
77.	Department of Rural Development	Revenue 12604,28,00,000
		Capital 10,00,00,000
78.	Department of Land Resources	Revenue 1053,66,00,000
79.	Department of Drinking Water Supply	Revenue 2751,38,00,000
80.	Department of Science and Technology	Revenue 1133,88,00,000
		Capital 50,10,00,000
81.	Department of Scientific and Industrial Research	Revenue 1128,31,00,000
		Capital 8,10,00,000
82.	Department of Biotechnology	Revenue 273,35,00,000
83.	Ministry of Shipping	Revenue 536,10,00,000
		Capital 349,95,00,000
84.	Ministry of Small Scale Industries	Revenue 377,56,00,000
		Capital 20,00,00,000
85.	Ministry of Social Justice and Empowerment	Revenue 1342,06,00,000
		Capital 127,50,00,000
86.	Department of Space	Revenue 1888,23,00,000
		Capital 480,08,00,000
87.	Ministry of Statistics and Programme Implementation	Revenue 1769,20,00,000
		Capital 25,13,00,000
88.	Ministry of Steel	Revenue 68,31,00,000
		Capital 13,00,00,000
89.	Ministry of Textiles	Revenue 1221,11,00,000
		Capital 488,74,00,000
90.	Department of Culture	Revenue 543,72,00,000
91.	Department of Tourism	Revenue 160,80,00,000
		Capital 205,50,00,000
92.	Ministry of Tribal Affairs	Revenue 128,01,00,000
		Capital 41,26,00,000
93.	Andaman and Nicobar Islands	Revenue 870,82,00,000
		Capital 211,40,00,000
94.	Chandigarh	Revenue 858,42,00,000
		Capital 154,46,00,000
95.	Dadra and Nagar Haveli	Revenue 340,57,00,000
		Capital 36,30,00,000

1	2	3	Rs.	Rs.	Rs.
96. Daman and Diu	Revenue	268,16,00,000	..	268,16,00,000	
	Capital	30,37,00,000	..	30,37,00,000	
97. Lakshadweep	Revenue	227,19,00,000	..	227,19,00,000	
	Capital	35,95,00,000	..	35,95,00,000	
98. Department of Urban Development	Revenue	701,97,00,000	18,12,00,000	720,09,00,000	
	Capital	1292,44,00,000	7,75,00,000	1300,19,00,000	
99. Public Works	Revenue	671,95,00,000	1,00,00,000	672,95,00,000	
	Capital	279,22,00,000	1,00,00,000	280,22,00,000	
100. Stationery and Printing	Revenue	162,85,00,000	..	162,85,00,000	
	Capital	20,00,000	..	20,00,000	
101. Department of Urban Employment and Poverty Alleviation	Revenue	355,10,00,000	..	355,10,00,000	
	Capital	286,89,00,000	..	286,89,00,000	
102. Ministry of Water Resources	Revenue	732,65,00,000	2,00,000	732,67,00,000	
	Capital	57,01,00,000	3,50,00,000	60,51,00,000	
103. Ministry of Youth Affairs and Sports	Revenue	431,04,00,000	..	431,04,00,000	
	Capital	9,26,00,000	..	9,26,00,000	
TOTAL.....		308378,27,00,000	536736,12,00,000	845114,39,00,000	

Notification

10/3/2003-LA

The Essential Commodities (Amendment) Act, 2003 (Central Act No. 37 of 2003), which has been passed by the Parliament and assented to by the President of India on 1-6-2003 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 2-6-2003, is hereby published for general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 19th February, 2004.

**THE ESSENTIAL COMMODITIES
(AMENDMENT) ACT, 2003**

AN

ACT

further to amend the Essential Commodities Act, 1955.

BE it enacted by Parliament in the Fifty-fourth Year of the Republic of India as follows:—

1. **Short title.**— This Act may be called the Essential Commodities (Amendment) Act, 2003.

2. **Amendment of section 3 of Act 10 of 1955.**— In section 3 of the Essential Commodities Act, 1955, after sub-section (3C), the following shall be and shall be deemed to have been inserted, on and from the 14th day of June, 1999, namely:—

'(3D) The Central Government may direct that no producer, importer or exporter shall sell or otherwise dispose of or deliver any kind of sugar or remove any kind of sugar from the bonded godowns of the factory in which it is produced, whether such godowns are situated within the premises of the factory or outside or from the warehouses of the importers or exporters, as the case may be, except under and in accordance with the direction issued by the Government:

Provided that this sub-section shall not affect the pledging of such sugar by any producer or importer in favour of any scheduled bank as defined in clause (e) of section 2 of the Reserve Bank of India Act, 1934 or any corresponding new bank constituted under section 3 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, so, however, that no such bank shall sell the sugar pledged to it except under and in accordance with a direction issued by the Central Government.

(3E) The Central Government may, from time to time, by general or special order, direct any producer or importer or exporter or recognised dealer or any class of producers or recognised dealers, to take action regarding production, maintenance of stocks, storage, sale, grading, packing, marking, weighment, disposal, delivery and distribution of any kind of sugar in the manner specified in the direction.

Explanation.— For the purposes of sub-section (3D) and this sub-section,—

(a) "producer" means a person carrying on the business of manufacturing sugar;

(b) "recognised dealer" means a person carrying on the business of purchasing, selling or distributing sugar;

(c) "sugar" includes plantation white sugar, raw sugar and refined sugar, whether indigenously produced or imported.

3. Validation of action taken under clauses 4 and 5 of the Sugar (Control) Order, 1966.—

(1) Notwithstanding anything contained in any judgment, decree or order of any court or other authority or any agreement, any action taken or anything done or omitted to be done or purported to have been taken or done or omitted to be done under any direction or order issued by the Central Government under clause 4 or clause 5 of the Sugar (Control) Order, 1966, made under section 3 of the Essential Commodities Act, 1955, at any time during the period commencing on and from the 14th day of June, 1999 till the day on which the Essential Commodities (Amendment) Bill, 2003 receives the assent of the President, shall be deemed to be, and deemed always to have been, for all purposes, as validly and effectively taken or done or omitted to be done under sub-section (3D) or sub-section (3E), as the case may be, of section 3 of the Essential Commodities Act, 1955, as if the said sub-sections had been in force at all material times.

10 of 1955.

(2) For the removal of doubts, it is hereby declared that no act or omission on the part of any person shall be punishable as an offence which would have not been so punishable if this Act had not come into force.

Notification

10/3/2003-LA

The Delhi High Court (Amendment) Act, 2003, (Central Act No. 35 of 2003), which has been passed by the Parliament and assented to by the President of India on 25-5-2003 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 26-5-2003, is hereby published for general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 19th February, 2004.

**THE DELHI HIGH COURT (AMENDMENT)
ACT, 2003**

AN

ACT

further to amend the Delhi High Court Act, 1966.

BE it enacted by Parliament in the Fifty-fourth Year of the Republic of India as follows:—

1. *Short title and commencement.*— This Act may be called the Delhi High Court (Amendment) Act, 2003.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Amendment of Act 26 of 1966.*— In sub-section (2) of section 5 of the Delhi High Court Act, 1966, for the words "rupees five lakhs", the words "rupees twenty lakhs" shall be substituted.

3. *Amendment of Punjab Act VI of 1918, as in force in National Capital Territory of Delhi.*— In the Punjab Courts Act, 1918, as in force in the National Capital Territory of Delhi,—

(i) in section 25, for the words "rupees five lakhs", the words "rupees twenty lakhs" shall be substituted;

(ii) in clause (a) of sub-section (1) of section 39,—

(a) in sub-clause (iii), for the word "and" occurring at the end, the word "or" shall be substituted;

(b) after sub-clause (iii), the following sub-clause shall be inserted, namely:—

"(iv) where the decree or order is made after the commencement of the Delhi High Court (Amendment) Act, 2003 and the value of the original suit in which the decree or order is made does not exceed rupees three lakhs; and".

4. Power of Chief Justice to transfer pending suits and proceedings to subordinate courts.—

The Chief Justice of the High Court of Delhi may transfer any suit or other proceedings which is or are pending in the High Court immediately before the commencement of this Act to such subordinate court in the National Capital Territory of Delhi as would have jurisdiction to entertain such suit or proceedings had such suit or proceedings been instituted or filed for the first time after such commencement.

Notification

10/3/2003-LA

The Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Amendment Act, 2003, (Central Act No. 38 of 2003), which has been passed by the Parliament and assented to by the President of India on 1-6-2003 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 2-6-2003, is hereby published for general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 19th February, 2004.

THE INFANT MILK SUBSTITUTES, FEEDING BOTTLES AND INFANT FOODS (REGULATION OF PRODUCTION, SUPPLY AND DISTRIBUTION) AMENDMENT ACT, 2003

AN

ACT

to amend The Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of

Production, Supply and Distribution) Act, 1992.

BE it enacted by Parliament in the Fifty-fourth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called The Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Amendment Act, 2003.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Amendment of section 2.*— In section 2 of The Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act, 1992 (hereinafter referred to as the principal Act),—

(i) for clause (a), the following clause shall be substituted, namely:—

'(a) "advertisement" includes any notice, circular, label, wrapper or any other document or visible representation or announcement made by means of any light, sound, smoke or gas or by means of electronic transmission or by audio or visual transmission;'

(ii) in clause (d), for the words "but does not include a pharmacy or drug store", the words "a pharmacy, drug store and any association of health workers" shall be substituted;

(iii) in clause (f), for the words "after the age of four months", the words "after the age of six months and up to the age of two years" shall be substituted;

(iv) in clause (g), for the words ", whether or not it is suitable for such replacement", the words "for infant up to the age of two years" shall be substituted;

(v) after clause (i), the following clause shall be inserted, namely:—

'(j) "promotion" means to employ directly or indirectly any method of encouraging any person to purchase or use infant milk substitute, feeding bottle or infant food.'

3. Amendment of section 3.— In section 3 of the principal Act,—

(i) in clause (a), for the words "or feeding bottles", the words "feeding bottles or infant foods" shall be substituted;

(ii) in clause (b), for the words "infant milk substitutes is", the words "infant milk substitutes and infant foods are" shall be substituted;

(iii) in clause (c), the following clause shall be substituted, namely:—

"(c) take part in the promotion of infant milk substitutes, feeding bottles or infant foods.".

4. Amendment of section 4.— In section 4 of the principal Act, for the words "feeding bottles", at both the places where they occur, the words "feeding bottles or infant foods" shall be substituted.

5. Amendment of section 5.— In section 5 of the principal Act, for the words "feeding bottles", at both the places where they occur, the words "feeding bottles or infant foods" shall be substituted.

6. Amendment of section 6.— In section 6 of the principal Act, in sub-section (2), for the words "infant milk substitute", at both the places where they occur, the words "infant milk substitute or infant food" shall be substituted.

7. Amendment of section 7.— In section 7 of the principal Act,—

(a) in sub-section (1),—

(i) for the words "Every educational or other material", the words "Every educational or other material including advertisements or material relating to promotion of infant milk substitutes, feeding bottles and infant foods" shall be substituted;

(ii) after clause (f), the following clause shall be inserted, namely:—

"(fa) the date of printing and publication of such material and the name of the printer and publisher;" ;

(b) in sub-section (2), for the words "feeding bottles", the words "feeding bottles or infant foods" shall be substituted.

8. Amendment of section 9.— In section 9 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:—

"(2) No producer, supplier or distributor referred to in sub-section (1), shall offer or give any contribution or pecuniary benefit to a health worker or any association of health workers, including funding of seminar, meeting, conference, educational course, contest, fellowship, research work or sponsorship.".

9. Amendment of section 20.— In section 20 of the principal Act, for the word and figures "section 11", at both the places where they occur, the words and figures "section 11 and the rules made under section 26 of the Act" shall be substituted.

10. Amendment of section 24.— In section 24 of the principal Act, after the words "or of any State Government", the words, brackets, letter and figures "or a representative of such voluntary organisation which is notified under clause (c) of sub-section (1) of section 21" shall be inserted.